

Notice of Allowability

Application No.

10/751,455

Examiner

Minh-Chau T. Pham

Applicant(s)

DANCEY ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1:313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 4/2/07.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

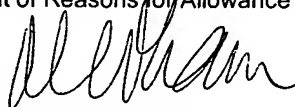
4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Minh-Chau Pham
Patent Examiner
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Allowable Subject Matter

Claims 1-30 allowed.

The closest relevant arts are Eller et al (5,004,483) and Kitano et al (5,944,894).

Eller et al disclose a method of controlling relative humidity of inside an enclosed space (10) comprising the step of drawing outside air to the enclosed space to create an air stream discharging into the enclosed space (col. 7, lines 20-21 and line 68 through col. 8, line 2), sensing the relative humidity of the air in at least one sensing location (col. 8, lines 28-38, col. 9, lines 60-67), means for controlling relative humidity and temperature to maintain a desired relative humidity (col. 8, lines 35-37). Eller et al further disclose the step of maintaining the desired relative humidity by raising the temperature (col. 9, lines 6-14).

Kitano et al disclose a temperature/humidity controller to control the temperature and humidity of the air passing through (see Abstract, col. 1, lines 55-58) via a controller (140, col. 5, lines 60-62, col. 7, lines 2-3 and lines 11-15), wherein the temperature of air is heated up to the temperature of approximately 23 degrees C (see col. 9, lines 27-29) and the relative humidity is lowered to approximately 40% (see col. 9, lines 37-40).

Both Eller et al and Kitano et al disclose a temperature/humidity controller wherein the air in the chamber is brought to a specified temperature, and then a humidifier raises or lower the humidity, so that the air leaving the chamber is at a specified temperature and humidity.

Claims 1-30 of this instant patent application differ from the disclosure of either Eller et al or Kitano et al in that the temperature of the outside air drawn in is raised to

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whatever temperature is required to lower the relative humidity of the air stream at the outlet opening to a desired level, so the humidity is controlled and the temperature cannot be controlled because the temperature determines the relative humidity.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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May 31, 2007

DUANE SMITH
PRIMARY EXAMINER

D. Smith
6-11-07